

CHAPTER 1192

PENALTIES FOR OVERSIZE VEHICLES

H. F. 290

AN ACT relating to the imposition of penalties for violations of vehicle laws relating to movement of oversized and overweight vehicles and loads and weights in excess of those for which the vehicle is registered.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section three hundred twenty-one point four hundred
2 sixty-three (321.463), unnumbered paragraphs eight (8) and nine
3 (9), Code 1973, are amended to read as follows:

4 Any person who operates any vehicle in violation of the provisions
5 of this section, and any owner, or any other person, employing or
6 otherwise directing the operator of any vehicle who requires or know-
7 ingly permits the operation of any vehicle in violation of the provisions
8 of this section shall upon conviction or a plea of guilty be punished
9 in accordance with the following schedule:

10 AXLE AND, TANDEM AXLE, GROUP OF AXLES, AND GROSS WEIGHT	
11 VIOLATIONS	
12 Percentage of	Amount of Fine
13 Overload	Per Hundred Pounds
14 Up to and including 8%	\$1.00
15 Over 8% to and including 10%	1.25
16 Over 10% to and including 12%	1.75 1.50
17 Over 12% to and including 14%	2.50 2.00
18 Over 14% to and including 16%	3.50 3.00
19 Over 16% to and including 18%	5.00 4.00
20 Over 18% to and including 20%	6.50 5.00
21 Over 20%	8.00 6.00

22 GROSS OR GROUP OF AXLES WEIGHT VIOLATIONS	
23 Percentage of	Amount of Fine
24 Overload	Per Hundred Pounds
25 Up to and including 10%	\$1.00
26 Over 10% to and including 12%	1.50
27 Over 12% to and including 14%	2.50
28 Over 14% to and including 16%	4.00
29 Over 16% to and including 18%	5.00
30 Over 18% to and including 20%	6.00
31 Over 20%	8.00

32 No fine shall be assessed if the overload does not exceed the toler-
33 ance specified in this section. If the overload does exceed the tolerance
34 specified in this section, the amount of the fine to be assessed shall be
35 computed on the difference between the actual weight and the maxi-
36 mum legal weight specified in this section without allowance of any
37 tolerance, *by applying the appropriate rate in the preceding schedule*
38 *for the total percentage of overload. The total percentage of overload*
39 *shall be determined by dividing the appropriate maximum legal weight*
40 *as specified in this section without allowance for any tolerance into the*
41 *amount of pounds overloaded.*

1 SEC. 2. Section three hundred twenty-one E point sixteen
2 (321E.16), Code 1973, is amended to read as follows:

3 321E.16 Violations—penalties. ~~Proof of violation of any provi-~~
4 ~~sion of any permit issued under this chapter shall render the entire~~
5 ~~permit null and void, and shall be punishable Any person who is con-~~
6 ~~victed of a violation of any provision other than length, height, width,~~
7 ~~or weight of any permit issued under this chapter shall be punished~~
8 ~~by a fine of not less than one hundred dollars, nor more than five hun-~~
9 ~~dred dollars. The fine for violation of the length, height, width, and~~
10 ~~weight allowed by permit shall be based upon the difference between~~
11 ~~the actual length, height, width, and weight of the vehicle and load and~~
12 ~~the maximum allowable by permit and in accordance with section~~
13 ~~321.482 for violations of length, height, or width limitations and sec-~~
14 ~~tions 321.482 and 321.463 for violation of weight limitations. If a~~
15 ~~vehicle with indivisible load traveling under permit is found to be in~~
16 ~~violation of weight limitations, the vehicle operator shall be allowed~~
17 ~~a reasonable amount of time to remove any ice, mud, snow, and other~~
18 ~~weight attributable to climatic conditions accumulated along the route~~
19 ~~prior to application of the penalties prescribed in sections 321.463 and~~
20 ~~321.482.~~

1 SEC. 3. Section three hundred twenty-one point four hundred
2 sixty-six (321.466), Code 1973, is amended by adding the following
3 new paragraph:

4 NEW PARAGRAPH. Any person operating a vehicle on the public
5 highways with a gross weight exceeding that for which it is registered
6 shall be subject to a fine of one dollar for each one hundred pounds
7 that the actual gross weight of the vehicle exceeds the registered gross
8 weight.

Approved March 29, 1974

CHAPTER 1193

HABITUAL TRAFFIC OFFENDERS

S. F. 173

AN ACT to forbid the use of the highways of this state to habitual offenders of the traffic laws, and to provide punishment for those who violate the provisions of this Act.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. NEW SECTION. As used in this Act, "habitual of-
2 fender" means any person who has accumulated convictions for sepa-
3 rate and distinct offenses described in subsections one (1), two (2),
4 or three (3) of this section, committed after July 1, 1974, as follows:
5 1. Three or more convictions within a six-year period, of the fol-
6 lowing offenses, either singularly or in combination:
7 a. Manslaughter resulting from the operation of a motor vehicle.
8 b. Driving a motor vehicle while under the influence of an alcoholic
9 beverage or a controlled substance as defined in section two hundred
10 four point one hundred one (204.101) of the Code.